

REMARKS

Claims 1-20 are pending in the present application. Independent claim 1, and claims 2-8 and 17-18 dependent directly or indirectly thereon, are directed to an optical film. Independent claim 9, and claims 10-16 and 19-20 dependent directly or indirectly thereon, are directed to a liquid crystal display.

It is noted that, in this Office Action, the indefiniteness rejection and the anticipation rejection over US 6,088,079 to Kameyama et al. made in the previous Office Action have been withdrawn.

However, in this Office Action, claims 1-20 are now rejected under 35 U.S.C. 103(a) as obvious over US 6,088,079 to Kameyama et al. (Kameyama) in view of JP 09-113727 to Nakajima et al. (Nakajima). It is acknowledged in the Office Action that Kameyama does not suggest the flexural rigidity of the present invention, but it is alleged that Nakajima teaches adjusting the flexural rigidity of an optical film, so that the claimed property would have been obvious optimization “depending on the desired end use of the product.”

As a preliminary, reconsideration and withdrawal of the finality of this Office Action is respectfully requested. The amendments in the response to the previous Office Action were to reformulate the claim language without substantially modifying the scope of the claims. In particular, the flexural rigidity feature, for which Nakajima is now cited in this Office Action, was already clearly recited in claim 1 at the time of the previous Office Action. More precisely, an assertion was made in the previous Office Action that this feature is inherent in Kameyama, but this assertion was successfully traversed in the response to the previous Office Action. Therefore, the present rejection was not necessitated by the amendments made in the response to the previous

Office Action, but is a new rejection. This new rejection should be non-final, because it would otherwise deprive the Applicants of a fair opportunity to address the rejection.

In view of the above, it is submitted that the finality of the Office Action should be withdrawn.

Next, the rejection over Kameyama in view of Nakajima is respectfully traversed. As acknowledged in the Office Action is completely silent regarding flexural rigidity of an optical element. Further, Nakajima only teaches adjusting the flexural rigidity of a protective film (TAC film) of a polarizing plate, but is completely silent as to the flexural rigidity of an optical film comprising a polarizing plate and a brightness enhancement film laminated to the polarizing plate. Therefore, any combination of Kameyama and Nakajima fails completely to teach or suggest the presently claimed invention.

In particular, Nakajima requires that the modulus of longitudinal elasticity  $E$  and the thickness  $h$  of a protective film (TAC film) have a relationship  $0.1 \leq E \cdot h^3 \leq 0.15$  with a modulus of longitudinal elasticity  $E$  of about 300 to 400 (see Nakajima at paragraph [0015]). The value of  $E \cdot h^3$  in Nakajima is understood to represent the physical property of a film made of a single layer having a thickness  $h$ . In contrast, the flexural rigidity as defined in the present invention represents the physical property of a laminated film made of a plurality of layers. Thus, the teaching of Nakajima regarding a single layer is not adaptable to a laminated film with plural layers as in the presently claimed invention.

For example, in the Examples of the present specification, TAC films having thicknesses of 40  $\mu\text{m}$  (Example 1) or 50  $\mu\text{m}$  (Example 2) are used. As a result, the values of  $E \cdot h^3$  of the TAC films according to Nakajima would be calculated as 0.019 (Example 1) or 0.038 (Example 2) when

E is 300, and 0.026 (Example 1) or 0.050 (Example 2) when E is 400. These calculated results would not satisfy the relationship required by Nakajima. Nevertheless, the protective films in these Examples of the present specification are used in optical films having the flexural rigidity of the present claims. In other words, a comparison between the physical properties of the protective single-layer film as taught in Nakajima and the physical properties of the plural-layer optical film in the present invention is not apparent to a person of the art, even in the case a polarizing film having a protective film is used in the optical film of the present invention.

In contrast, the present inventors have shown that an optical film comprising a polarizing plate and a brightness enhancement film laminated to the polarizing plate, wherein the optical film has the flexural rigidity as defined in the present claims, can improve the workability and yield of the optical film, as discussed in particular on page 14 of the present specification. This feature of the presently claimed invention and its advantages are not taught or suggested in any of Kameyama or Nakajima, and therefore, the present claims are not obvious over any combination of these references.

In view of the above, it is submitted that the rejection should be withdrawn.

In conclusion, the invention as presently claimed is patentable. It is believed that the claims are in allowable condition and a notice to that effect is earnestly requested.

In the event there is, in the Examiner's opinion, any outstanding issue and such issue may be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

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In the event this paper is not considered to be timely filed, the Applicants hereby petition for an appropriate extension of the response period. Please charge the fee for such extension and any other fees which may be required to our Deposit Account No. 50-2866.

Respectfully submitted,

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